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*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

JPMorgan CHASE CO., JPMorgan CHASE BANK,  
N.A., J.P. MORGAN SECURITIES LLC, and J.P.  
MORGAN SECURITIES LTD.,

Defendants.

Adv. Pro. No. 10-4932 (SMB)

**NOTICE OF SETTLEMENT OF ORDER DENYING APPLICATION FOR  
PARTIAL REFUND OF PRIOR SETTLEMENT PAYMENTS**

**PLEASE TAKE NOTICE** that, pursuant to Rule 9074-1(a) of the Local Rules of Bankruptcy Procedure for the Southern District of New York and the Post-Trial Findings of Fact and Conclusions of Law Denying Application for Partial Refund of Prior Settlement Payments, entered by this Court in the above-referenced adversary proceeding on October 10, 2014, ECF No. 77, the undersigned counsel to plaintiff Irving H. Picard, as trustee (the “Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff, individually, will present the proposed order attached hereto as Exhibit A for settlement and signature to the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York, 10004 on **October 24, 2014 at 3:00 p.m.**

**PLEASE TAKE FURTHER NOTICE** that SPV Optimal SUS Ltd. (“SPV”) and Solus Recovery Fund LP (“Solus”) have consented to the form of proposed order attached hereto as Exhibit A.

Dated: October 21, 2014  
New York, New York

/s/ David J. Sheehan  
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